ARTICLES 24 & 25, VILLAGE CENTER REZONING WHAT'S DIFFERENT SINCE LAST FALL?

GENERAL CHANGES

The following listing describes how the form-based village center rezoning proposed under Articles 24 and 25 is different from the rezoning (former Article 17) considered by the Fall 2011 Special Town Meeting.

Warrant Articles

- Two articles are being proposed, enabling Town Meeting to vote separately on rezoning for Atkins Corners and North Amherst village centers.
- The general form-based regulations (Article 16) have been put into both articles, rather than into a separate article, for the following reasons:
 - 1. Form-based zoning regulations are developed in response to and for specific areas. The new form-based design regulations, zoning districts, and other accompanying regulations have been developed in response to the two village centers proposed to be rezoned.
 - 2. There is no provision in the proposed rezoning which would apply the general form-based design regulations to any of Amherst's other existing 'center' zoning districts. Each of Amherst's centers, like the downtown or East Village, has a specific and unique design character, different from the others. To work in any district, regulations must be added which tailor the effect of the general form-based regulations to the characteristics of specific centers.
 - 3. One possible outcome of having a separate article for the general form-based regulations is the adoption of the general regulations but the failure of proposed rezoning for both village centers. That would be a nonsensical outcome—in order to have any meaning or function, zoning regulations must be tied to zoning districts. That's how zoning works.

Zoning District Mapping

Atkins Corners village center (see Figure 1A)

• The AC District zoning proposed to go on four properties east of West Street in the southeast corner of the village center (25B-29, 25D-28, 29 & 30) is being replaced with R-VC with an R-VF overlay district, and the rezoned area is being reduced in size (brought closer to the street), to minimize potential environmental issues.

- The proposed AC District is removed from two small, unbuildable properties (25B-22, 25B-23) east of the roundabouts.
- The Applewood property (25A-43) remains within the AC District, but the superfluous existing PURD overlay on that property is removed.

North Amherst village center (see Figure 1B)

- Montague Road:
 - Properties on both sides of Montague Road south of the Mill River Recreation Area entrance (5A-76, 5A-104, and streetfront portions of 5A-35, 5A-135 & 137) are proposed to be rezoned from R-N to R-VC, with the addition of an R-VF overlay district.
 - The frontage associated with 134 Montague Road (that portion of 5A-137 including the Cowls Homestead) is rezoned R-VC to a depth of 110 feet.
 - All other properties fronting along Montague Road from the Mill River Recreation Area entrance north to Pulpit Hill Road are kept in the current R-N designation, with the addition of an R-VF overlay district.
 - The property at 15 Summer Street is removed from the proposed R-VF overlay, because it lacks frontage on Montague Road.
- West of Sunderland Road:
 - The previously proposed extent of NAVC zoning west of Sunderland Road has been reduced—pulled back eastward—so that it predominantly covers upland areas immediately west of Sunderland Road that fall outside the 100 year floodplain, and no longer covers areas of floodplain.
 - The remaining area of floodplain north of the Mill River FPC district is proposed to be rezoned to Low Density Residence (R-LD) with a Farmland Conservation (FC) overlay.
 - All property south and west of the Mill River north of the Swartz farm previously in NAVC, is proposed to be removed from NAVC and rezoned from its current R-N designation to Low Density Residence (R-LD) with a Farmland Conservation (FC) overlay.
 - A portion of the Swartz farm property remains rezoned from R-LD/FC to NAVC/FC, to allow farm-related commercial activities within the limitations of the existing Agricultural Preservation Restriction (APR) on the property.
- North of Cowls Road The property at 30 Cowls Road (5A-35) was previously proposed to be rezoned entirely from COM to NAVC. A small portion of the property is now proposed to be rezoned from COM to R-O, to respond to existing mapping for priority habitat of rare and endangered species. The remainder of the property will be rezoned from COM to NAVC.
- Meadow Street The R-VF overlay district is proposed to be added to all properties currently zoned R-VC on the north side of Meadow Street.

• *North Pleasant Street* – The R-VF overlay district is proposed to be added to all properties currently zoned R-VC on both sides of North Pleasant Street south of the main intersection.

Specific Changes to Proposed New Article 16, Form-based Zoning

16.2, Street Types

- Applies to the Public Way? Text revisions now make it clear that form-based design zoning
 regulations do not control the design of public ways, but only development on private property
 adjacent and in relation to the street. The illustrations of potential street designs are offered as
 advisory recommendations to those who will make future decisions about street design
 (principally the Select Board).
- Public Transit New text revisions increase the emphasis on making provisions for existing and future public transit in new design.
- Street Trees New revisions provide more complete guidance on the selection, planting, and care for street trees in new development.
- Illustrations New language clarifies jurisdiction in the public way and adds mention of the new section of R-VF overlay district at Atkins Corners under the Village Residential Street type.

16.3, Building & Site Types

- Bedroom types Revision add studio units to the existing 1-bedroom, 2-bedroom and 3-bedroom types allowed. No units with more than three bedrooms are permitted, to avoid the creation of opportunities for informal 'group housing.'
- Local Examples Photographs of existing local buildings and sites have been added to illustrate the kinds of building architecture and site design desired under proposed form-based rezoning.
- Height & Floors For larger civic, commercial, and mixed use buildings, language has been revised to allow greater flexibility in roof types without increasing the maximum number of floors or significantly increasing the allowed height of buildings.
- Accessibility Language has been changed to reinforce the need for all ground floor entrances in new or renovated buildings to meet ADA/AAB handicapped accessibility codes.

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- Design Standards Specific to Atkins Corners Language has been added and existing language revised to provide design guidance for residential buildings on village residential streets, and to clarify the emphasis on local and native plants in new landscape plantings.
- Design Standards Specific to North Amherst village center Language and illustrations have been reorganized, new language added, and existing language revised to clarify add flexibility to design guidelines for residential buildings on Village Residential Streets.

16.9, Administration

• Section 16.91 – Language has been revised and reorganized to make clear the number and type of findings which must be to allow the granting of any alternative compliance to the form-based design regulations.

Specific Changes to Existing Sections of the Zoning Bylaw

Article 2, Zoning Districts

The language describing the purpose of the proposed form-based zoning districts (AC and NAVC) and one overlay district (R-VF) has been revised to better reflect the purpose of those districts, and to reflect the addition of the R-VF overlay district to a portion of Atkins Corners.

Section 3.3, Use Classification (Use Chart)

- Town Houses The permit requirement for town houses has been changed from by-right Site Plan Review (SPR) to Special Permit (SP) in the NAVC and AC Districts. Specific additional requirements are added for the NAVC District prohibiting town houses from occupying "significant continuous segments of street frontage" on Cowls Road. Town houses were already disallowed within 100 feet of Sunderland Road.
- Apartments Specific additional requirements are added for the NAVC District prohibiting apartments from occupying "significant continuous segments of street frontage" on Cowls Road. Apartments were already disallowed within 100 feet of Sunderland Road.
- Live-Work Uses This section proposing a small new combined residential/business use has been substantially revised to clarify the number of units involved, which kinds of business uses are permitted, and other related issues.

Article 5, Accessory Uses

• Recreation ways – Language regulating accessory recreational paths and trails has been revised and improved to clarify the uses of those trails.

Table 3, Dimensional Regulations

- Reduced Maximum Building and Lot Coverage The maximum percentage of a lot in the AC and NAVC Districts which can be covered with buildings or buildings plus impermeable surfaces has been significantly reduced, to match the requirements in the existing B-VC District (from 70% to 35% building coverage, and from 85% to 70% lot coverage).
- Revised Footnote n. Footnote n. has been revised to clarify how maximum height is addressed when a change in roof type is requested for specific building types.

Article 12, Definitions

- A new definition is added for "streetfront," a term used in the form-based regulations (Article 16).
- Definitions for the following terms have been revised: Alley, Building Disposition, Civic, Civic Building, Civic Space, Common Yard, Effective Parking, Frontage, Green, Greenway, Liner Building, Live-Work Use, Mixed Use, Private Frontage, Public Frontage, Setback, Shared Driveway, Shared Parking Factor, Stoop, and Street Yard.

In almost all cases, revisions are for the purpose of improving on the language proposed by the consultant, to clarify meanings and/or to add or correct references to other sections of the Zoning Bylaw.

The definition for Live-Work Use has been revised to reflect the revisions made to this new use category in the Use Chart.